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Appl. No. 09/721,785**Remarks**

Reconsideration of this Application is respectfully requested. Claims 1-18 are pending in the application, of which claims 1, 8, 12, and 16 are independent. Based on the remarks set forth below, it is respectfully requested that the Examiner reconsider and withdraw all outstanding rejections.

Rejection under 35 U.S.C. § 103

The Examiner, on page 3 of the Final Office Action, has rejected claims 1-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,583,714 to Gabou *et al.* (hereinafter "Gabou") in view of U.S. Patent No. 6,079,020 to Liu. Applicants respectfully traverse this rejection. Based on the remarks set forth below, Applicants respectfully request that this rejection be reconsidered and withdrawn.

With regards to independent claim 1, the Examiner states that Gabou teaches Applicants' elements of "a computer", "a bus monitor to monitor a first link between the network interface device and the computer, where said bus monitor reports detected failures or intrusions", and "a security switch to switch the first link from a non-secured mode to a secured mode when a report of said detected failures or intrusions is received from the bus monitor." Applicants respectfully disagree.

Gabou teaches a method for protecting a radiocommunications terminal against unauthorized use, the radiocommunications terminal being cordless phones, cellular mobile phones, and pagers. *Gabou*, Abstract; col. 1, lines 46-51. According to Gabou, the terminal is automatically switched to a secure mode when no user information is being transmitted. *Gabou*, col. 1, lines 52-57. The secure mode prohibits a call from

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being made from the terminal unless the user knows a predetermined code. *Gabou*, col. 1, lines 65-67. *Gabou* also teaches that the secure mode is cancelled by the user when the user enters the predetermined code. *Gabou*, col. 1, lines 56-57; col. 3, lines 45-46.

Applicants respectfully assert that *Gabou* does not teach or suggest at least the following elements of Applicants' claimed invention:

- a network interface device to provide the computer with access to the network;

- a bus monitor to monitor a first link between the network interface device and the computer, where said bus monitor reports detected failures or intrusions; and

- a security switch to switch the first link from a non-secured mode to a secured mode when a report of said detected failures or intrusions is received from the bus monitor.

Gabou does not teach or suggest "a bus monitor to monitor a first link between the network interface device and the computer, where said bus monitor reports detected failures or intrusions." Contrary to the present invention, *Gabou* is not monitoring for failures or intrusions. Instead, *Gabou* is monitoring to determine whether user information is being transmitted from a terminal, and if it is not, then *Gabou* teaches switching to a secure mode. *Gabou*, col. 1, lines 52-57. Thus, unlike the present invention, *Gabou* protects a radiocommunications terminal against unauthorized use by automatically switching the terminal to a secure mode when no user information is being transmitted. *Gabou*, col. 1, lines 47-49. The secure mode prohibits the sending of at least one type of user information and authorizes the sending of at least one type of terminal information. *Gabou*, col. 1, lines 52-56. In the secure mode, the terminal can receive calls, but it cannot be used to make a call by a user who does not know the predetermined code. *Gabou*, col. 1, lines 60-67. Thus, *Gabou* does not monitor for an intrusion as recited in Applicants claim 1. Instead *Gabou* protects a

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radiocommunications terminal against unauthorized use by switching to a secure mode when no user information is being transmitted. The secure mode of Gabou prohibits the user from making a call if the user does not know the predetermined code.

Gabou also does not teach or suggest "a security switch to switch the first link from a non-secured mode to a secured mode when a report of said detected failures or intrusions is received from the bus monitor." As indicated above, unlike the present invention, Gabou does not teach or suggest detecting failures or intrusions, and therefore, cannot teach or suggest switching the first link from a non-secured mode to a secured mode when a report of said detected failures or intrusions is received from the bus monitor. Instead, Gabou teaches switching to a secure mode when no user information is being transmitted.

The Examiner further states, on page 4 of the Final Office Action, that Gabou does not teach Applicants' element of: "a network interface device to provide the computer with access to the network." Applicants respectfully agree that Gabou does not teach this element, as indicated above. The Examiner indicates that this element is taught by Lui.

Applicants respectfully disagree. Lui does not solve the deficiencies of Gabou. Lui teaches a method and apparatus for managing virtual private networks operating over public data networks. *Lui*, Abstract, col. 3, lines 2-5. Lui does not teach or suggest Applicants' elements of:

a bus monitor to monitor a first link between the network interface device and the computer, where said bus monitor reports detected failures or intrusions; and

a security switch to switch the first link from a non-secured mode to a secured mode when a report of said detected failures or intrusions is received from the bus monitor.

Thus, neither Gabou nor Lui, separately or in combination, teach or suggest Applicants' claimed invention as recited in independent claim 1. For at least the foregoing reasons, Applicants respectfully submit that independent claim 1, and the claims that depend therefrom (claims 2-7) are patentable over Gabou and Lui. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of independent claims 1-7.

With respect to independent claim 8, the Examiner, on page 6 of the Final Office Action, states that Gabou teaches Applicants' element of "a controller to monitor a link between the interface device and the server, where said controller switches the link from a non-secured protocol to a secured protocol when failures or intrusions are detected on the link. Applicants respectfully disagree.

Unlike the present invention, Gabou does not teach a server. Instead, Gabou teaches radiocommunications terminals comprising cordless phones, cellular mobile phones, and pagers. *Gabou*, col. 1, lines 10-16. Also, Gabou does not teach "a controller to monitor a link ... , where said controller switches the link from a non-secured protocol to a secured protocol when failures or intrusions are detected on the link." As indicated above, contrary to the present invention, Gabou is not monitoring for failures or intrusions. Instead, Gabou is monitoring to determine whether user information is being transmitted from a terminal, and if it is not, then Gabou teaches switching to a secure mode to prevent a user from making a call if the user does not know the predetermined code. *Gabou*, col. 1, lines 52-67. Unlike the present invention, Gabou protects the terminal against unauthorized use by switching to a secure mode when no user

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information is being transmitted. Thus, Gabou does not monitor for failures or intrusions, and therefore, does not switch "from a non-secured protocol to a secured protocol when failures or intrusions are detected" as recited in Applicants' claim 8. Instead Gabou is proactive in that it prevents unauthorized use of the terminal from occurring by switching to a secure mode when no user information is being transmitted. The present invention is reactive in that it "switches the link from a non-secured protocol to a secured protocol when failures or intrusions are detected on the link." Also, unlike the present invention which switches from a non-secured protocol (*e.g.*, HTTP) to a secured protocol (HTTP-S), Gabou teaches switching to a secure mode that prohibits sending at least one type of user information and authorizes sending at least one type of terminal information. *Gabou*, col. 1, lines 52-59.

The Examiner further states, on page 6 of the Final Office Action, that Gabou does not teach Applicants' element of: "an interface device to provide the server with access to a network." Applicants respectfully agree that Gabou does not teach this element, as indicated above. The Examiner indicates that this element is taught by Lui.

Applicants respectfully disagree. Lui does not solve the deficiencies of Gabou. Lui teaches a method and apparatus for managing virtual private networks operating over public data networks. *Lui*, Abstract, col. 3, lines 2-5. Lui does not teach or suggest Applicants' elements of "a controller to monitor a link between the interface device and the server, where said controller switches the link from a non-secured protocol to a secured protocol when failures or intrusions are detected on the link."

Thus, neither Gabou nor Lui, separately or in combination, teach or suggest Applicants' claimed invention as recited in independent claim 8. For at least the

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foregoing reasons, Applicants respectfully submit that independent claim 8, and the claims that depend therefrom (claims 9-11) are patentable over Gabou and Lui. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of independent claims 8-11.

With respect to independent claim 12, the Examiner, on page 8 of the Final Office Action, states that Gabou teaches Applicants' elements of: "first directing the link to use a secured protocol when failures or intrusions are detected on the link" and "second directing the link to revert to a non-secured protocol when said detected failures or intrusions have been corrected." Applicants respectfully disagree.

As indicated above, contrary to the present invention, Gabou is not detecting failures or intrusions. Instead, Gabou is detecting whether user information is being transmitted from a terminal, and if it is not, then Gabou teaches switching to a secure mode to prevent a user who does not know the predetermined code from making a call. *Gabou*, col. 1, lines 52-67. Unlike the present invention, Gabou protects the terminal against unauthorized use (*i.e.*, prevents an unauthorized user from making a call) by switching to a secure mode when no user information is being transmitted. Thus, Gabou does not detect failures or intrusions, and therefore, does not provide for "first directing the link to use a secured protocol when failures or intrusions are detected on the link" or "second directing the link to revert to a non-secured protocol when said detected failures or intrusions have been corrected." Furthermore, unlike the present invention, Gabou teaches canceling the secure mode by entering a predetermined code (*Gabou*, col. 1, lines 56-57), and not when detected failures or intrusions have been corrected (as recited in claim 12).

The Examiner further states, on page 8 of the Final Office Action, that Gabou does not teach Applicants' element of: "monitoring a link between a network device and a computer." Applicants respectfully agree that Gabou does not teach this element, as indicated above. The Examiner indicates that this element is taught by Lui.

Applicants respectfully disagree. Lui does not solve the deficiencies of Gabou. Lui teaches a method and apparatus for managing virtual private networks operating over public data networks. *Lui*, Abstract, col. 3, lines 2-5. Lui does not teach or suggest Applicants' elements of "monitoring a link between a network device and a computer," "first directing the link to use a secured protocol when failures or intrusions are detected on the link," or "second directing the link to revert to a non-secured protocol when said detected failures or intrusions have been corrected."

Thus, neither Gabou nor Lui, separately or in combination, teach or suggest Applicants' claimed invention as recited in independent claim 12. Applicants' independent claim 16 recites elements similar to the elements of claim 12. Thus, for at least the foregoing reasons, Applicants respectfully submit that independent claims 12 and 16, and the claims that depend therefrom (claims 13-15 and claims 17-18, respectively), are patentable over Gabou and Lui. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of independent claims 12-18.

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Appl. No. 09/721,785**Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all currently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

Intel Corporation

Crystal D. Sayles

Crystal D. Sayles
Senior Attorney
Intel Americas, Inc.
Registration No. 44,318
(202) 986-3179
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c/o Intel Americas, Inc.
4030 Lafayette Center Drive
Building LF3
Chantilly, VA 20151

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